February 11, 2009

United States Bankruptcy Court
One Bowling Green
New York, NY 10004

Attn: Honorable Judge Robert D. Drain

Ref:
Delphi Corp Case # 05-44481 filed October 8, 2005
Document # 14705 to Cancel OPEB (Health Insurance Benefits) for all Retirees

Dear Judge Drain:

This letter is to express my concerns with Document #14705 filed by Delphi Corporation on February 4, 2009 asking the court to cancel health insurance benefits (OPEB) for over 15,000 people who are retirees of Delphi Corporation.

Please note that this letter is an OBJECTION to that document and file it as a motion to object to document #14705.

This document was filed with no previous warning to any of the current employees and retirees of Delphi Corporation and was only made known to us via letter on February 5, 2009 and with the holiday gave us a mere eleven days to file our objections**. I, respectfully, request that the hearing be rescheduled to allow us our due process to organize, obtain counsel and submit our case.** In Farmland Indus., Inc., 294 B.R. 903 (Bankr. W.D. Mo. 2003) held that section 1114 of the Bankruptcy Code prohibits debtor from terminating or modifying any retiree benefits during chapter 11 case unless debtor complies with section 1114, regardless of whether debtor has prepetition non-bankruptcy right to unilaterally terminate or modify benefits. It appears that courts have had differing opinions on section 1114 interpretation. We need an attorney.

Many of the most recent retirees of Delphi were retired **BY** the company and **NOT** by the choice of the employee. They were given no decision to make, just told they would be retiring on a specific date. They had little time to prepare for retirement, and little time to adjust to a significantly reduced income before they were hit with this latest development (loss of health care) which will cause financial hardship for every retiree. It will have huge impacts not only on the retirees and soon-to-retire, but also every community where retirees live.

With the current state of the economy, retirees who had saved for retirement in their Stock Savings Plans, have lost 40 – 60 % of their savings. As you know, the cost of living has increased significantly in the last two years based upon rising energy costs

alone. This coupled with the loss of health care benefits would have a crippling effect on the lives of every salaried retiree of Delphi Corporation.

There are three classes of retirees: executives, union, and salary. The executives collect a much larger pension than the salaried personnel. The executive pension is (years worked) times (yearly salary) times (2 percent). An executive that worked for Delphi for only five years would receive an estimated $100,000. If the executive worked longer, the amount would be significantly higher. Their pensions are at least five times the normal salary retiree's pension. . Clearly they can afford an extra $1000 a month for a family health care policy.

The union retirees have not lost their health care. They have suffered no extra pain.

The salary retirees are looking at two problems. First is the $1000 per month increase in health care costs for a family and the potential transfer of their pensions to the government. Each one separately is devastating; together they spell certain financial disaster. The salary pension was approximately 10 percent under-funded by the executives when last reported by Delphi. This was before the market melt down. The pension is most likely 40 to 50 percent under funded. If Delphi turns the pension over to the PBGC, a 55 year old married retiree will collect the maximum of $1822.50 per month. Subtracting taxes of $300 and $1000 for health insurance leaves $522.50 per month. This amount is below the poverty line. After working for GM/Delphi for 30 years, the average salary retiree is left as poor as the poorest families in America! The average executive has at least 10 times this amount left each month. The average union retiree has at least 5 times this amount left each month. Clearly the salary retirees are being singled out.

The sacrifices are not being equitably shared. Health care for salary retirees must not be eliminated until Delphi fully funds the salary pensions. Health care benefits are currently scheduled to stop at the age of 65 for all retirees. This cost is a decreasing cost to the company as each of us reaches that 65 age milestone.

Please know that each of the 15,000 + retirees and soon-to-retire, who will be negatively impacted by this action, will be looking to you for your consideration when making the decision concerning Document #14705 dated February 4, 2009.

We ask you to REJECT this motion.

Sincerely yours,

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